#### **BEFORE**

## THE PUBLIC SERVICE COMMISSION OF SOUTH CAROLINA

Docket Nos. 2013-186-C and 2007-337-C

| Re: | Application of Sage Telecom Communications, LLC | ) |             |
|-----|---|---|-------------|
|     | d/b/a Sage Telecom for a Certificate of Public  | ) |             |
|     | Convenience and Necessity to Provide Local      | ) |             |
|     | Exchange and Interexchange Telecommunications   | ) | STIPULATION |
|     | Services in the State of South Carolina         | ) | STIPULATION |
|     |   | ) |             |

The South Carolina Telephone Coalition ("SCTC") (see attachment "A" for list of companies) and Sage Telecommunications, LLC d/b/a Sage Telecom ("Sage Telecom") hereby enter into the following stipulations. As a consequence of these stipulations and conditions, SCTC does not oppose Sage Telecom's Application. SCTC and Sage Telecom stipulate and agree as follows:

- 1. SCTC does not oppose the granting of a statewide Certificate of Public Convenience and Necessity to Sage Telecom, provided the South Carolina Public Service Commission ("Commission") makes the necessary findings to justify granting of such a certificate, and provided the conditions contained within this stipulation are met.
- 2. Sage Telecom stipulates and agrees that any Certificate which may be granted will authorize Sage Telecom to provide service only to customers located in non-rural local exchange company ("LEC") service areas of South Carolina, except as provided herein.
- 3. Sage Telecom stipulates that it is not asking the Commission to make a finding at this time regarding whether competition is in the public interest for rural areas.
- 4. Sage Telecom stipulates and agrees that it will not provide any local service, by its own facilities or otherwise, to any customer located in a rural incumbent LEC's service area, unless

and until Sage Telecom provides such rural incumbent LEC and the Commission with written notice of its intent to do so at least thirty (30) days prior to the date of the intended service. During such notice period, the rural incumbent LEC will have the opportunity to petition the Commission to exercise all rights afforded it under Federal and State law. Also, Sage Telecom acknowledges that the Commission may suspend the intended date for service in rural LEC territory for ninety (90) days while the Commission conducts any proceeding incident to the Petition or upon the Commission's own Motion, provided that the Commission can further suspend the implementation date upon showing of good cause.

- 5. Sage Telecom stipulates and agrees that, if Sage Telecom gives notice that it intends to serve a customer located in a rural incumbent LEC's service area, and either (a) the Commission receives a Petition from the rural incumbent LEC to exercise its rights under Federal or State law within such 30-day period, or (b) the Commission institutes a proceeding of its own, then Sage Telecom will not provide service to any customer located within the service area in question without prior and further Commission approval.
- 6. Sage Telecom acknowledges that any right which it may have or acquire to serve a rural telephone company service area in South Carolina is subject to the conditions contained herein, and to any future policies, procedures, and guidelines relevant to such proposed service which the Commission may implement, so long as such policies, procedures, and guidelines do not conflict with Federal or State law.
- 7. The parties stipulate and agree that all rights under Federal and State law are reserved to the rural incumbent LECs and Sage Telecom, and this Stipulation in no way suspends or adversely affects such rights, including any exemptions, suspensions, or modifications to which they may be entitled.

- 8. Sage Telecom agrees to abide by all State and Federal laws and to participate, to the extent it may be required to do so by the Commission, in the support of universally available telephone service at affordable rates.
- 9. Sage Telecom hereby amends its application and its prefiled testimony in this docket to the extent necessary to conform with this Stipulation.

AGREED AND STIPULATED to this

day of <u></u>

2013.

Sage Telecommunications, LLC d/b/a Sage Telecom

Bonnie D. Shealy, Esquire

Robinson, McFadden & Moore, P.C.

Post Office Box 944

Columbia, South Carolina 29202

Attorneys for Applicant Sage Telecommunications, LLC d/b/a Sage Telecom South Carolina Telephone Coalition:

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Attorneys for the South Carolina Telephone Coalition

### ATTACHMENT A

## South Carolina Telephone Coalition Member Companies for Purposes of Local Service Stipulation

Chesnee Telephone Company

Chester Telephone Company

Farmers Telephone Cooperative, Inc.

Ft. Mill Telephone Company

Home Telephone Company, Inc.

Lancaster Telephone Company

Lockhart Telephone Company

McClellanville Telephone Company

Norway Telephone Company

Palmetto Rural Telephone Cooperative, Inc.

Piedmont Rural Telephone Cooperative, Inc.

Pond Branch Telephone Company

Ridgeway Telephone Company

Rock Hill Telephone Company

Sandhill Telephone Cooperative, Inc.

St. Stephen Telephone Company

West Carolina Rural Telephone Cooperative, Inc.

Williston Telephone Company

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|     | d/b/a Sage Telecom for a Certificate of Public  | ) |                           |
|     | Convenience and Necessity to Provide Local      | ) | CERTIFICATE OF<br>SERVICE |
|     | Exchange and Interexchange Telecommunications   | ) |                           |
|     | vices in the State of South Carolina            | ) |                           |
|     |   | ) |                           |

I, ElizaBeth A. Blitch, do hereby certify that I have this date served one (1) copy of the foregoing Stipulation upon the following party of record by causing said copy to be deposited with the United States Postal Service, first class postage prepaid and affixed thereto, and addressed as follows:

Bonnie D. Shealy, Esquire Robinson, McFadden & Moore, P.C. Post Office Box 944 Columbia, South Carolina 29202

Courtney Dare Edwards, Esquire Office of Regulatory Staff 1401 Main Street, Suite 900 Columbia, South Carolina 29201.

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June 4, 2013